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June 27, 2000

RECEIVED

JUN 30 2000

Via Facsimile and U.S. Mail

Department of Water Resources

Karl J. Dreher
Director
Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83720-0098

Re: District 34
Water Users above Mackay Reservoir

Dear Mr. Dreher:

I am a general partner in Broken River Ranch, L.P., which irrigates hay and pastureland above Mackay Reservoir in District # 34 by pressurized systems – mostly center pivot – pursuant to a series of water rights. One of our fields is an 80 acre parcel that was plowed and reseeded this spring. The seeds have germinated, and the survival of the seedlings is dependent upon receiving irrigation water.

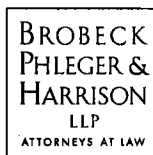
Last night we received a telephone call from the ditchrider in District 34 asking us to turn off our pumps, as our rights are junior to a call on water by rights with a priority date of 1889 and earlier.

We understand that the Department of Water Resources is required to follow the futile call doctrine in administering priority rights. We understand that to mean that a junior water rights holder will not be shut down in a futile effort to deliver water to a senior water rights holder downstream.

We are not aware of any senior water rights holder downstream from our ranch that will receive a commercially useful delivery of water as a result of denying delivery of water to junior rights holders above Mackay Reservoir. If our understanding is correct, we should be promptly advised so that we can avoid a serious loss to our existing fields and a possible catastrophic loss to the newly planted field.

Please identify, with specificity: (1) the downstream senior rights holders that will receive beneficial use of water that would not otherwise receive the water but for shutting down the junior rights holders above Mackay Reservoir; and (2) the junior rights that were shut down to deliver the water to the downstream senior rights holders.

Karl J. Dreher



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As you are aware, this is a time critical matter, and a prompt response will be greatly appreciated.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R. E. Crawford".

Roy E. Crawford

REC:si

cc: Watermaster, District 34
Butch Shields, Broken River Ranch